

PROB12B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**PETITION TO MODIFY THE CONDITIONS OF SUPERVISION
WITH CONSENT OF THE OFFENDER**

(Probation Form 49, Waiver of Hearing is on file)

Offender Name: Steven R. PINEDA

Docket Number: 2:01CR00237-01

Judicial Officer: Honorable William B. Shubb
United States District Judge
Sacramento, California

Original Sentence Date: May 13, 2004

Original Offense: Count 1: 21 USC 846, 841(a)(1) - Conspiracy to Possess With Intent to Distribute Cocaine (Class A Felony)
Count 2: 21 USC 841(a)(1) - Possession With Intent to Distribute Cocaine (Class A Felony)

Original Sentence: 36 months BOP (each count, concurrent); 48 months TSR (each count, concurrent); \$200 Special Assessment

Special Conditions: Warrantless search; financial disclosure; drug aftercare treatment and testing; abstain from alcohol; aftercare co-payment

Other Court Action:

02/16/2005: Court notified of defendant's use of marijuana and request for no action to be taken at that time.

02/16/2005: Court granted request.

Type of Supervision: Supervised Release

Supervision Commenced: 09/19/2003

RE: PINEDA, Steven R.
Docket Number: 2:01CR00237-01
PETITION TO MODIFY THE CONDITIONS OF SUPERVISION WITH CONSENT
OF THE OFFENDER

Assistant U.S. Attorney:	To be assigned	Telephone: 554-5700
Defense Attorney:	Stephen P. Naratil	Telephone: (800) 562-6166

PETITIONING THE COURT

[X] To modify the conditions of supervision as follows:

Steven Pineda shall reside at and participate in a community corrections center program under the community corrections component as approved by the probation officer, for a period not to exceed 120 days, or until discharged by the program director or probation officer pursuant to 18 USC 3563(b)(11).

JUSTIFICATION

Pineda is being supervised in the Central District of California. Following his use of marijuana in January 2005, the supervising probation officer in the Central District of California returned Pineda to the highest drug testing level. Since then, the following violations have occurred:

1. On March 21 and 28, 2006, Pineda submitted a urine test which was returned positive for the presence of marijuana;
2. On February 1, 2006, Pineda was scheduled to meet with his drug counselor and failed to show for the session; and
3. On September 26, 2005; November 12, 2005; and February 18, 2006, Pineda failed to appear for drug testing as directed.

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Pineda's supervising probation officer reports Pineda's performance on supervision was satisfactory for over one year, with the exception of missing two drug tests. Pineda is living in a stable environment, is working full time and has been instructed further use of marijuana will result in his being returned to Court.

The supervising probation officer continues to monitor Pineda's actions and believes a modification of the conditions of supervised release to include up to 120 days in a Community Corrections Center would address these latest violations. Pineda has agreed to such a modification.

Respectfully submitted,

/s/ Karen A. Meusling

KAREN A. MEUSLING
Supervising United States Probation Officer
Telephone: (916) 930-4321

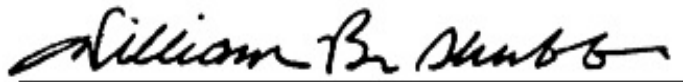
DATED: April 25, 2006
Sacramento, California
KAM:kam

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THE COURT ORDERS:

Modification approved as recommended.

Date: April 25, 2006



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

cc: United States Probation
Assistant United States Attorney
Stephen P. Naratil, Defense Attorney
Defendant
Court File

Attachment: PSR (Sacramento only)